

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:247
ANSWERED ON:26.04.2016
Release of Undertrials
Tharoor Dr. Shashi

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether it is a fact that a total of 12,052 undertrials have been detained for a period of more than three years in various jails in the country;
- (b) if so, whether the Government has been working in coordination with the National Legal Services Authority (NLSA) for their timely release and if so, the details thereof;
- (c) whether the Supreme Court had directed the State Legal Services Authority (SLSA) to secure the release of the undertrials who have served half of the apprehended term;
- (d) if so, whether the Government has been co-ordinating with the SLSAs to ensure that they are complying with the directive; and
- (e) if so, the details thereof including the total number of undertrials who have been released during each of the last three years and the current year, State-wise?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI HARIBHAI PARATHIBHAI CHAUDHARY)

(a): As per data compiled by the National Crime Records Bureau at the end of 2014, the total number of undertrials between 3 to 5 years was 12052 in the jails of the country.

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(b) to (d): In pursuant to the directions of Hon'ble Supreme Court of India in Writ Petition No. 406 of 2013 titled Re-Inhuman Conditions prevailing in 1382 Prisons, all the State Legal Services Authorities (SLSAs) had been requested by National Legal Services Authority (NALSA) to urgently take up the case of the undertrial prisoners who are entitled to the benefit of Section 436-A of Cr.P.C. and to instruct the panel lawyers to urgently meet such prisoners and move appropriate application before the Courts for their release. Further, pursuant to the directions of Hon'ble Supreme Court, Under Trial Review Committee has been established in every district across the country comprising of District Judges as Chairman and Secretary, District Legal Services Authorities as one of the members to monitor and review the cases of aforesaid under-trial prisoners of their early release.

(e): On the basis of the reports received from various State Legal Services Authorities (SLSAs) and provided by NALSA, a statement containing the information of Under Trial Prisoners released pursuant to the directions of Hon'ble Supreme Court of India since 1st July, 2015 to 31st January, 2016 is at Annexure.
